

PTO/SB/31(09-04)

Approved for use through 7/31/2006, OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

Docket Number (Optional)

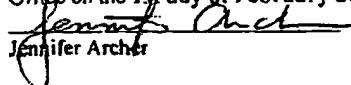
Beiersdorf 722.1 / 100718-324 (KGB)

RECEIVED  
CENTRAL FAX CENTER

FEB 01 2005

NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES

I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office on the 1st day of February 2005.

  
Jennifer Archer
In re Application of  
**Andreas HERPENS et al**Application Number  
**09/891,929** Filed  
**June 26, 2001**For  
**Cosmetic and dermatological preparation for the removal of sebum**Art Unit  
**1616** Examiner  
**Marina LAMM**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner dated September 1, 2004 finally rejecting claims 18-47.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 500.00

Applicant claims small entity status. See 37 CFR 1.26. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ \_\_\_\_\_.

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account Number 34-1263. I have enclosed a duplicate copy of this sheet.

A petition for an extension of time under 37 CFR 1.36(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

applicant/inventor.

assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96).

attorney or agent of record.  
Registration number \_\_\_\_\_

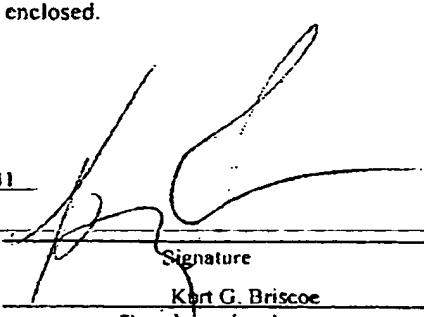
attorney or agent under 37 CFR 1.34(a).  
Registration number if acting under 37 CFR 1.34(a) 33,141

February 1, 2005

Date

(202) 808-0700

Telephone Number

  
Signature

Kurt G. Briscoe

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of 2 forms are submitted.

This collection of information is required by 35 CFR 1.31. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 172 and 37 CFR 1.11, 1.14 and 31.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and transmitting the completed application form to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FEE ONLY

03/17/2005 DMARTINO 00000015 141263 09891929

02/01/2005 300.00 00000015 141263 09891929